

No. 4:98-CR-9-4H
No. 4:12-CV-153-H

ORDER

reaffirms its judgment entered October 2, 2012, dismissing petitioner's motion to vacate without prejudice.

This order does not raise a substantial issue for appeal concerning the denial of a constitutional right. Accordingly, a certificate of appealability is not issued as to this order.

This 7th day of May 2013.



MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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